

REMARKS

Status of the Claims

Pending claims

Claims 1 to 30 as filed are pending.

The Restriction Requirements

The Patent Office has alleged that the pending claims of the application are directed to four separate and distinct inventions because the alleged different inventions or groups of inventions are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Group I: Claims 1-8, 15 and 18-19, drawn to an aziridine compound.

Group II: Claims 9-14 and 16-19, drawn to a complex of an aziridine compound and a methyltransferase.

Group III: Claims 20-29 drawn to a method of modifying a target molecule with an aziridine and a methyltransferase.

Group IV: Claim 30 drawn to a modified molecule.

The modified target molecule of Group IV is obtainable by a method comprising the incubation of the target molecule with an aziridine compound of the invention in the presence of a methyltransferase.

The Election

In response to the Restriction Requirement, Applicants elect Group I, Claims 1 to 8, 15 and 18 to 19, drawn to an aziridine compound, with traverse.

Reasons to reconsider and withdraw restriction requirement

Applicants respectfully request the Patent Office reconsider and, in part, withdraw the restriction requirement for the following reasons.

Applicants respectfully aver that after a complete search directed to aziridine compounds, it would not be an undue burden for the Patent Office to also do a complete search for corresponding complexes of aziridine compounds and methyltransferases (Group II) and methods of modifying a target molecule with an aziridine and a methyltransferase (Group III).

Accordingly, Applicants respectfully request the Patent Office to rejoin all claims directed to aziridine compounds (Group I), complexes of aziridine compounds and methyltransferases (Group II) and methods of modifying a target molecule with an aziridine and a methyltransferase (Group III) into one restriction group.

Applicants have preserved their right to petition the restriction to the Group Director under 37 CFR §1.144; see also MPEP §818.03(c); pg 800-60, 8th Edition, August 2001.

The Species

The Patent Office has further alleged that the claims are directed to patentably distinct species because these species are allegedly deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

- a) aziridine compounds
- b) methyltransferases
- c) target molecules
- d) modified target molecules

The claims correspond to the above-listed species as follows:

- a) aziridine compounds (if Groups I to III are elected)
- b) methyltransferases (if Groups II to III are elected)
- c) target molecules (if Group III is elected)
- d) modified target molecules (if Group IV is elected)

The Species Election

In response, Applicants elect aziridine compounds, claims 1 to 8, 15 and 18 to 19, and the single specie as set forth as formula 9 on page 14 of WO 00/06587.

When the elected species is held to be allowable, Applicants are entitled to consideration (examination) of additional species; if all species are held to be allowable, a generic claim should be allowed (MPEP §809.02(c); pg 800-50, 8th Edition, August 2001).

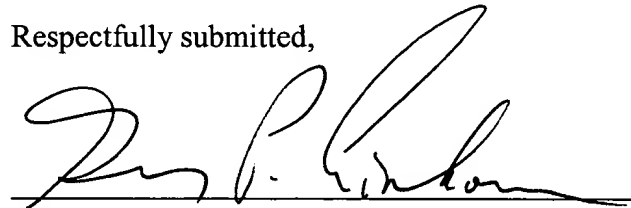
If an additional fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. Please credit any overpayment to the above-noted Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

Date:

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